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Group 3600

Stephen E. Feldman P.C.
12 East 41st Street
New York, NY 10017

In re Application of
Joseph B. Rissin et al.
Application No. 09/800,828
Filed: March 8, 2001
For: EAR-NUT WITH HANDLES

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:
: **DECISION ON PETITION**
:
: **TO WITHDRAW THE**
: **HOLDING OF ABANDONMENT**

This is in response to applicant's renewed petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on November 12, 2002. There is no fee for this petition.

The petition is **GRANTED**.

A review of the file record indicates that the application was held abandoned in a notice mailed September 11, 2002 for failure to file a timely response to an Office communication dated January 24, 2002.

Applicant's petition includes a copy of a response bearing a Certificate of Mailing date of July 24, 2002. A statement by Ida Serrano was received within the petition, which attests to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing. This is sufficient evidence of a timely response.

Since a timely response to the Office action was filed, the holding of abandonment is withdrawn and the application is restored to pending status. The application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the response filed with the petition, and then to the Primary Examiner for prompt action on the merits of the application.

Any inquiries specific to this decision should be directed to me at the number below.


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SM: 2/11/03